

James L. Driessen  
 Marguerite A. Driessen  
 305 North 1130 East  
 Lindon, UT 84042

Plaintiffs Pro Se

FILED  
 U.S. DISTRICT COURT

2008 MAY 16 A 11:21

DISTRICT OF UTAH

BY: \_\_\_\_\_  
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**UNITED STATES DISTRICT COURT  
 FOR THE DISTRICT OF UTAH CENTRAL DIVISION**

James L. and Marguerite A. Driessen,  
  
 Plaintiffs,

v.

Starbucks Corporation and Apple Inc.,  
  
 Defendants.

**MOTION TO DISMISS WITH  
 PREJUDICE**

Case No: 2:08cv00126 TS

Honorable Ted Stewart

Pursuant to Fed. R. Civ. P. 41, Plaintiffs James L. Driessen and Marguerite A. Driessen hereby agree and stipulate to the dismissal with prejudice of all claims asserted against Apple Inc. and Starbucks Corporation. Plaintiffs James L. Driessen and Marguerite A. Driessen and Defendant Apple Inc. have settled all claims in this cause of action, and that settlement relieves Defendants Apple Inc. and Starbucks Corporation of any and all potential liability. The parties request that the Court enter an order dismissing with prejudice all claims in accordance with this stipulation in the form of the Proposed Order attached hereto.

Each party shall bear its own costs and attorneys' fees.

DATED: May 16<sup>th</sup>, 2008

By James L. Driessen  
 James L. Driessen  
 PLAINTIFF PRO SE

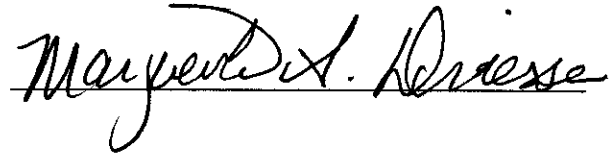
BY Marguerite A. Driessen  
 Marguerite A. Driessen  
 PLAINTIFF PRO SE

### CERTIFICATE OF SERVICE

I hereby certify that on this 16th day of May, 2008 a true and correct copy of the foregoing was served upon the person(s) named below, at the address set out below the name, either by mailing postage prepaid, hand delivery, Federal Express, or by telecopying a true and correct copy of said document.

Charles Stormont  
Howrey LLP  
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Salt Lake City, Utah, 84101  
Counsel for Apple, Inc.

☐ U.S. Mail  
☐ Federal Express  
☒ Hand Delivery  
☐ Telefacsimile  
☐ Other

  
Margaret A. Driesse